

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TATYANA LYSYY, et al.,

CASE NO. C24-0062JLR

Plaintiffs,

## ORDER

DEUTSCHE BANK NATIONAL  
TRUST COMPANY, et al.,

## Defendants.

Before the court is Defendants' motion for leave to file an overlength reply brief in support of their motion for summary judgment. (Mot. (Dkt. # 46); *see* MSJ (Dkt. # 14).<sup>1</sup> Defendants assert that Plaintiffs have raised arguments and requests for relief in their opposition to Defendants' motion for summary judgment that they originally raised in their now-withdrawn motion for partial summary judgment. (Mot. at 2-3 (citing MSJ

<sup>1</sup> The court has not considered Plaintiffs' opposition to Defendants' motion. (See Resp. (Dkt. # 47)); *see* Local Rules W.D. Wash. LCR 7(f)(3) ("No opposition to the motion shall be filed unless requested by the court.").

1 Resp. (Dkt. # 45)); *see also* PMSJ (Dkt. # 2-1); PMSJ Withdrawal (Dkt. # 39).)

2 Defendants complain that, as a result, they “cannot fully and adequately address”

3 Plaintiffs’ arguments and requests within the 4,200-word limit provided by Local Civil

4 Rule 7(e)(3). (See Mot. at 2-3); *see* Local Rules W.D. Wash. LCR 7(e)(3). Therefore,

5 Defendants ask the court to consider their 8,331-word opposition to Plaintiffs’ withdrawn

6 motion for partial summary judgment as part of their reply in support of their motion for

7 summary judgment. (Mot. at 2; *see* PMSJ Resp. (Dkt. # 21).)

8 Under this court’s Local Civil Rules, “[i]n all cases, the reply brief shall not

9 exceed one-half the total length of the brief filed in opposition.” Local Rules W.D.

10 Wash. LCR 7(f)(4). Accordingly, the court DENIES Defendants’ motion to file an

11 overlength reply brief (Dkt. # 46) and will not consider their previously-filed opposition

12 brief as part of Defendants’ reply. Defendants shall timely file a reply in support of their

13 motion for summary judgment that complies with the word-count limit set in Local Civil

14 Rule 7(e)(3). The court notes, however, that to the extent Plaintiffs raise requests for

15 affirmative relief in their opposition brief that are not responsive to the arguments in

16 Defendants’ motion for summary judgment, such requests are improper and the court will

17 not consider them. *See* Fed. R. Civ. P. 7(b)(1) (“A request for a court order must be

18 made by motion.”).

19 Dated this 6th day of March, 2024.



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21 JAMES L. ROBART  
22 United States District Judge